

[Translation]

b1/3 Pages (B)

Tsugio Fukuda

From: Satoshi Kinoshita <satoshi@sportsshinkohawaii.com>
To: Tsugio Fukuda <fukuda@sportsshinko.co.jp>
Date/Time Sent: January 16, 2001 4:19
Subject: Re: Re: Member's Right [SIC]

1-15-2001

To: Mr. Fukuda, General Manager, International Business Division

[From:] Satoshi Kinoshita

Thank you for your willingness to inquire with the president about the issue of retaining free play for Sports Shinko. I appreciate that.

When you do so, there is something else I would like you to also ask the president. It has to do with the sale of assets. According to Mr. Mukai, the formation of the management company makes it extremely difficult for RCC to attach the facilities in the Hawaii region and President Kinoshita is extremely pleased. Preparations are currently underway to also form a management company in Japan and Mr. Mukai is apparently waiting to hear from the attorney[s] in Japan.

If that is indeed the case, I would think that the sale of the facilities in the Hawaii region should be limited to the residential development sites at Pukalani Country Club and Kiahuna Golf Club. What do you think? Financially, our company is in no position to do the development on its own, but we could of course look for co-developers. Please run this by [the president]. Thank you.

147 1457

[Translator's Note: Translations of the ensuing e-mails on this page have been omitted]

EXHIBIT C

EXHIBIT 11

Tsugio Fukuda

送信者: Satoshi Kinoshita <satoshi@sportsshinkohawaii.com>
宛先: Tsugio Fukuda <fukuda@sportsshinko.co.jp>
送信日時: 2001年1月16日 4:19
件名: Re: Re: Member's Right

1-15-2001

福田国際事業本部長殿

木下 聡

スポーツ振興の無償プレー確保について、社長へお伺いくださるとは、有難う御座います。宜しく願い申し上げます。

また、その折に社長へ会わせてお伺い戴きたいことが御座います。それは、資産売却の件です。向井弁護士の話では、営業委託会社の設立によりRCCがハワイ地区事業所を差し押さえる事が大変難しくなり、木下社長は大変満足している。現在は、営業委託会社を日本国内においても設立すべく、準備中で向井弁護士は、国内の弁護士からの連絡を待っている所だそうです。

であれば、ハワイ地区事業所の売却はプカニカントリークラブ、キアフナゴルフクラブの住宅開発地に限るべきだと思いますが如何でしょうか。自社開発は資金的に無理ですが、共同開発業者を探す事も、もちろん可能です。一度お伺いください。宜しく願い申し上げます。

以上取り急ぎご連絡まで。

----- Original Message -----

From: Tsugio Fukuda
To: Satoshi Kinoshita
Sent: Sunday, January 14, 2001 7:46 PM
Subject: Re: Re: Member's Right

1-15-2001

聡副社長殿

コリヤーズからの返事ではMarketing Materialsに記載するとありますが、対象はプカニ・キアフナ・オーシャンリゾートですか？

現地が一番メンバーも特典については詳しいのでまず現地で作成して頂けますか？出来あがった特典のリストを担当者にもういちど確認させます。

またスポーツ振興の役員の無償プレーなどについては木下社長にお伺いする必要がありますのでその結果を待ってコリヤーズ社に連絡することに致します。

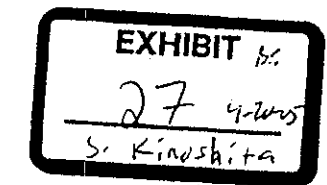
以上ご連絡致します。 福田次雄

----- Original Message -----

From: Satoshi Kinoshita
To: fukuda@sportsshinko.co.jp
Sent: Monday, January 15, 2001 11:16 AM
Subject: Fwd: Re: Member's Right

1-14-2001

福田国際事業本部長殿



147 1457

ロイヤルグリーンまた、オーシャンリゾート倶楽部メンバーの会員特典の継続について、ポサル氏に打診した所、下記の返答が参りました。売り手に分るように英語で記載する事です。

付きましては、現行の会員特典をまとめてご連絡くださるようお願い申し上げます。キア

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

SPORTS SHINKO (USA) CO., LTD., a)	CIVIL NO. 02-1-2766-11 (EEH)
Delaware corporation; SPORTS)	(Other Civil Action)
SHINKO (MILILANI) CO., LTD., a)	
Hawai'i corporation; SPORTS SHINKO)	DECLARATION OF
(KAUAI) CO., LTD., a Hawai'i)	STEVEN C. SILVER;
corporation; SPORTS SHINKO)	LIST OF TRANSLATED
(PUKALANI) CO., LTD., a Hawai'i)	DOCUMENTS
corporation; and SPORTS SHINKO)	
(WAIKIKI) CORPORATION, a Hawai'i)	
corporation,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
RESORT MANAGEMENT SERVICES)	
(HAWAI'I), INC., a Hawai'i)	
corporation; YASUO NISHIDA,)	
SATOSHI KINOSHITA,)	
TOSHIO KINOSHITA, TAKESHI)	
KINOSHITA, TOSHIYA KINOSHITA,)	
and TSUGIO FUKUDA, and)	
DOE DEFENDANTS 1-25,)	
)	
Defendants.)	
)	

DECLARATION OF STEVEN C. SILVER

I, Steven C. Silver, make this Declaration of my personal knowledge:

1. I am an adult resident of the State of Hawai'i, over the age of eighteen (18) years, and competent to make this Declaration.

2. I am a professional legal translator with fourteen years of translation experience. I am fluent in both written Japanese and English, and

qualified to translate documents of the type shown in the attached Schedule of Translated Documents. I am registered with the Judiciary of the State of Hawai'i to provide Japanese-English and English-Japanese courtroom translation services. I am a member of the American Translators Association and the Hawai'i Interpreters and Translators Association. I am accredited by the American Translators Association to translate Japanese documents into English. I am also a member of the National Association of Judicial Interpreters and Translators. I am also registered to provide courtroom translation services with the U.S. District Court for the District of Hawai'i.

3. I have reviewed Exhibit "C" attached to the Declaration of Glenn T. Melchinger to be filed in support of Plaintiff's Motion to Enforce Settlement with Defendant Satoshi Kinoshita in *Sports Shinko (USA) Co., Ltd. et al. vs. Resort Management Services (Hawaii), Inc. et al.*; Civil No. 02-1-2766-11 (EEH) in the Circuit Court for the First Circuit, State of Hawai'i, as described in the attached List of Translated Documents, and I have confirmed that my English translation of the Japanese document has been accurately paired with the Japanese original, as set forth in the List of Translated Documents attached to this Declaration.

4. I hereby certify and declare that, to the best of my knowledge, the English translations of the document listed in the attached List of Translated Documents is a complete and accurate translations of the Japanese text appearing on the respective original document with which it is paired.

I declare under penalty of perjury that the foregoing is true and correct.

DATE: Honolulu, Hawai'i, June 22, 2006.



STEVEN C. SILVER

LIST OF TRANSLATED DOCUMENTS

1. **Exhibit "C":** Bates stamped page 147 1457, also marked as Ex. "27" to the Deposition of S. Kinoshita. (Jan. 15, 2001 4:19 email from Satoshi Kinoshita to Tsugio Fukuda).

END OF LIST OF TRANSLATED DOCUMENTS